

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76) AND POWER OF ATTORNEY**

Title of Invention **A JUNCTURE FOR A HIGH PRESSURE FUEL SYSTEM**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
☐ Application No. _____, filed on _____,
☐ as amended on _____ (if applicable);

I/We believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

The undersigned hereby authorize the U.S. attorneys or agents at Nixon Peabody LLP to accept and follow instructions from CUMMINS INC. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons for whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I/We hereby appoint:

Practitioners at Customer Number 22204 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

FULL NAME OF INVENTOR(S)

Inventor one: James E. Denton Citizen of: United States of America

Signature: James E. Denton Date: Dec 17, 2003

Inventor two: Anthony A. Shaull Citizen of: United States of America

Signature: Anthony A. Shaull Date: 12/17/2003

Inventor three: Scott R. Simmons Citizen of: United States of America

Signature: Scott R. Simmons Date: 12/17/2003

Inventor three: Matthew B. State Citizen of: United States of America

Signature: Matthew B. State Date: 12/17/2003

Inventor four: Todd M. Wieland Citizen of: United States of America

Signature: Todd M. Wieland Date: 12/17/2003

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

NOTICE TO INVENTOR

DUTY OF DISCLOSURE AND INVENTORSHIP

TO: **James E. Denton, Anthony A. Shaull, Scott R. Simmons, Matthew B. State,
and Todd M. Wieland**

FROM: Daniel S. Song

DATE: December 2, 2003

SUBJECT: A JUNCTURE FOR A HIGH PRESSURE FUEL SYSTEM

Enclosed please find the draft of your patent application.

Before executing the application, you should know that the U.S. Patent and Trademark Office (Patent Office) imposes a duty of good faith and candor on inventors. Included is the duty to disclose all information you know of that is material to the patent application.

“Information” is considered material by the Patent Office if it, taken by itself or in combination with other information, could show unpatentability when the claims are given their broadest reasonable interpretation or could be considered inconsistent with a position taken by the applicant(s) to show patentability. “Information” must be forwarded to the Patent Office despite the fact that other information could establish patentability, such as commercial success data or comparative test results. Some examples of such “information” are:

- prior published patents, articles, product announcements, technical reports, or lectures;
- evidence that the claimed invention was in public use, demonstrated publicly, or on sale more than one year before the filing date of the U.S. application;
- information that the claimed invention was made in the U.S. by someone other than the inventor named in the application; and
- related pending patent applications known to you.

Materiality of information of the type exemplified by, but not limited to that listed above, is measured by the scope of the claims in an application, particularly the broadest claims. Therefore, your attention is particularly directed to claims 1, 16, 29, and 41, which you should carefully read and fully understand.

To comply fully with the duty of disclosure imposed by the Patent Office, you should notify us of any further material information pertinent to the claimed invention which would add to the prior art discussed in the Background Art section of your application.

If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible. Additionally, the correct inventors must be named in a patent application.

An inventor is defined as one who conceives of the solution to a problem; the solution is the invention. The invention is legally defined in the claims of the patent application which are located at the end of the application. Please make sure you understand the claims and contact us if you have any questions. As further guidance regarding inventorship, an inventor must make some contribution to the inventive thought and final result, although conception of the entire solution is not required. Merely suggesting a desired result without suggesting means for attaining the result, or merely following the instructions or directions of others is insufficient. Joint inventors need not work physically together with each other although some form of collaboration between joint inventors during development of the invention is required. Joint inventors need not make identical contributions nor contribute to the subject matter of every claim, but an inventor must contribute to the subject matter of at least one claim. If you are still unclear as to who is an inventor, please contact us.

ACKNOWLEDGMENT

I am aware that the Patent and Trademark Office has imposed on inventors a duty of good faith and candor, including a duty to disclose any material information relating to my application. I am also aware that only the correct inventors may be named as such. I hereby acknowledge that, to the best of my knowledge and belief, I have disclosed to Daniel S. Song, all such material information.

12/17/03

Date

James E. Denton

James E. Denton

12/17/03

Date

Anthony A. Shaull

Anthony A. Shaull

12/17/2003

Date

Scott R. Simmons

Scott R. Simmons

12/17/2003

Date

Matthew B. State

Matthew B. State

12/17/2003

Date

Todd M. Wieland

Todd M. Wieland

Please return this acknowledgment, along with the executed patent application, promptly. If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible.